FINANCIAL AND COMMERCIAL.

TUR DAY, Jan. 10-6 P. M. The stock market was dull and drooping, and the speculative feeling tame at the first board. The closing sales showed the following variations from those of yesterday's nd board :- New York Central declined M. Reading %, Hudson River 3, Illinois Central %, Cleveland and ittsburg %, Chicago and Northwestern %, preferred %, Quicksilver %. Eric advanced %, Prairie du Chien %, Michigan Central %. Rock Island and Michigan

Government securities were moderately active an steady at yesterday's prices. Coupon five-twenties sold at 109% a ½; new issue, 109 a ½; ten-forties, 102%. At the open board at one o'clock the market was lower.

At the second regular board it was further depressed. with the exception of Erie, which advanced %, and Hudson River %. New York Central declined %, Michigan Central 14, Michigan Southern 14, Cleveland and Pittsburg 14, Chicago and Northwestern 16. Rock

Government securities were stronger. Coupon fivetwenties, new issue, advanced 1/2 a 1/4, ten-forties 1/2.

At the open board at half-past three quotations improved Eric closed at 84%, Michigan Southern 74, Hudson River 110%, Cleveland and Pittsburg 95%, Rock Island 103%, Chicago and Northwestern 39%. The cause of the marked decline in Hudson River to-day is traceable to the Assembly at Albany, in which notice was given for the introduction of a bill authorizing the consolidation of the Hudson River and Harlem Railroad Companies. Upon the success of this project the present holders of the Harlem stock base their expectations of being enabled to sell it at a profit to themselves. They happen to have the control of both roads, and if their scheme is carried out it will be a stockjobbing operation of far greater agnitude than even the last "corner" in Harlem, which ruined many of the weak and weakened some of the Our State legislators should look well into the motives governing those who are most desirous that this consolidation should take place.

The gold market shows symptoms of that decline which we predicted would take place in consequence of im-portant military and political changes likely to transpire luring the next few weeks or months. This decline compatible with all that we have said with respect to the dangers attending the financial policy of the government. Temporarily the currency is likely to be appre clated by the improving prospect of peace and reunion but so long as the present policy is continued the danger while the evils go on increasing in a copound ratio. If ever the currency now in circulation is uttorly discredited it will be by the spasmodiaction of panics rather than the slow process of gradual depreciation. Repudiation with us would be a great popular and not a legislative sensation, after which specie payments would be peacefully resumed. It is the danger of this forced return to specie payments by the people which has to be most seculously guarded against by the government, and the only way to prevent the possibility of such a contingency occurring at any time is by the government adopting measures for securing control of the currency by appreciating its value, and this can only be done by improving the general condition of the finances of the country. It must be remembered that for a long time after the termination of the war-say at least three years—the national expenses will be largely in excess of those for the last year-or two preceding it; and the currency might be practically discreeven after the restoration of peace, if the government, by its financial policy, neglected to they now occupy. At every step in the progress of de reciation the danger of a currency panic is of course increased, and if it passed beyond a certain limit the people themseives would regard the paper currency as an ens of which they would gladly be rid.

The government and the people would be equally benefited in the aggregate by the resumption of specie payis of the present depreciation of the curreacy. It would occasion a nominal sacrifice temporarily, but it would be a great permanent advantage. nolder of forty-four dollars in gold can now buy a hundred dollars in currency with it, and as much of anything else as a hundred dollar greenback would buy. What difference, therefore, does it virtually make whether the individual's wealth is counted n gold or \$1,000 in paper if the purchasing wer of the latter is only equivalent to that of the for Of course the adoption of such a policy of contrachave suggested would result in enormous commercial failures and a very close money market for some time; but by introducing the change by slow gradations, and simultaneously extending the credit of the government through the banks in our chief cities so as relieve the currency pressure, the effects of the revulwould be far less damaging to the com-Resuming specie payments on the basis of say forty-four cents to the dollar would be a far easier and more equitable course than the endeavor. which would prove valu, to do so at par. And it is a question which should engage the attention of Congress future and secure a return of trade to its normal, healthy channels this plan should not be adopted with as little delay as possible. In this way the government credit would be so far insured. The scheme would, of course, be equally applicable to its bonds and all outstanding obligations, both public and private.

There is gold enough in the country for carrying this project into effect; and the present time, when the war premises to be rapidly nearing its close, is particularly proportions for anticipating that return to specie pay ments which sooner or later will become a matter forced necessity; and the greater the appreciation of the currency, owing to the promising aspect of the military and political situations, the easier will be the course is dicated. But it we fail to take measures tending to wards the return to specie payments, the cold premium however much or little it may decline in the immediate fatore, will, if the old policy is persevered in, be like eventually to rise with a rapidity which will prove a m

The gold quotations during the day were as follows. I the afternoon the market was somewhat excited, but

10:30 A M. 225 ½ 2:35 P M. 223 ½ 11:30 A M. 225 ½ 3:30 P M. 223 ½ 12:30 P M. 224 ½ 5:00 P M. 223 ½ 1:30 P M. 224 ½

Money continues in active demand, but the supply increasing in abundance at seven per cent on call. large amount is employed in carrying government stock in anticipation of a rise consequent on the withdrawal of the ten-forty loan. The speculative lots hanging over the market are heavy, but they are chiefly held by strong hands. The expected rise will probably not culminate till after the end of the month, by which time it is ex-pected that the outside public will be eager buyers.

The prevailing apprehenmens of stringency in coase quence of the payments on account of the last twenty five millions of this loan are exaggerated, as a moment' three fourths of the amount will be paid in five pe cent notes, which have been out of active circulation for some time, and that payment is made in three instalments. The first occurred on the 7th, and the second and third will take place on the 14th and 21st instant. Meanwhile there will be a return flow of money from the West, and the Treasury will be ac-tively at work issning compound six per cent These will conduce temporarily to ease the money mar-ket, and only to be withdrawn from active circuistion, however, with the accumulation of interest upon them. Nothing in the way of currency could be more mistaken

or costly. The foreign exchange market is quiet, but bankers' bills are held firmly; 100 % a % is quoted for sterling at sixty days and 110% a % at three. Merchants' bille range from 105 to 1 per cons advance. The gold rate for france is 5.18% a 5.14 at sixty days, and 5.11 a 5.10 at

The subscriptions to the seven-thirty lean through the First National Bank to-day amounted to \$235,600. The business at the Sub-Treasury to day was as fol-

| Receipts | 4,124,108 | Payments | 6,221,209 | Balance | 20,445,221 | Subscriptions to government leads | 743,500 | The Standard Fire Insurance Company of this city bas declared a comi-annual dividend of five per cent, payable on demand, and an extra dividend of two and one half per cent, payable 14sh lessant, both free of government tax. The Pacific Fire Insurance Company will pay, 11th instant, a dividend of six per cent, free The Merchante' Laurence Company will pay their sixteenth semi semual dividend of two per cent.
The Hartford Merchants Insurance Company and de

clared a dividend of six per cent, and the Hartford City Fire Insurance Company five per cent.

January, 1865, compares as follows with t nmencement of 1864:-

Resources. \$14,983,609
Real estate. 245,846 | Bills of other banks and checks | 1,647,979 | Bank balances | 4,370,562 | Specie | 678,053 | Immediate resources | 6,096,584 | Number of banks | 9761,492 | Estimated loss on same | 111,356 | 612,249 95,146

The savings banks of Maine have on deposit \$3,672,975, against \$2,641,476 on the 1st of January, 1864.

The last statement of the banks of Providence, R. 1., compares as follows with the previous returns:— | Loans | Pec 3, | Pe 24,764,100 5,412,000 340,400 4,452,800

Baltimore during last week was \$262,715.

The deposits in the various savings banks of Massachusetts increased during the year 1864 \$5,673,000, and the number of depositors were 19,397 more at the close than at the commencement of the year. The total amount of

The total value of the foreign exports from the port of

the deposits is now \$62,557,000. The annual report of the Reading Railroad Company, which has just been presented to the stockholders, is regarded as quite satisfactory. The traffic over the road has been increased more than fifty per cent during the last year, and has more than doubled within two years. The report contains the following comparative figures:-

9,269,341 4,961,191 Net profits.....\$3,836,743 4,308,150 -The dividend of the Reading road of 15 per cent, de-

clared November 30, 1864, on common and preferred stock, of \$17,454,192, amounted to \$2,618,129; less stock created in lieu of bonds cancelled, \$104,000, leaving as the increase of stock on account of dividend, \$2,514,129. The bended debt of the company on the 30th of November was \$6,675,300, of which \$624,500 were convertible bonds of 1886. In reference to the claim to convert the 1844 bonds, the managers state that the opinion of the highest judicial tribunal of the State is that the privilege

of conversion has expired.

The New Jersey Legislature met to day at Trenton During the session applications will be made for the

During the session applications will be made for the following named charters:—

Newark and New York Railroad Company, with authority to construct a railroad from Newark to Communipaw Bay; for a horse railroad, with dummy engines, from Newark to South Orange; to authorize the Paterson and Newark Railroad Company to build a bridge over the Passaic river between Belleville and Newark—to construct the road along the Passaic below high water mark, and to connect with a railroad in Hudson county; to authorize the Newark Plank Road Company to build a horse railroad along their wagon road; to authorize the Morris and Essex Railroad Company to construct branches and lateral roads, and to bridge the Delaware river; to increase the capital stock of the New Jersey Railroad Company; to charter a railroad is run through Essex Union, Somerset and Warren counties; to build a railroad from Peapack, through Morris and Union counties to Essex; to charter a horse railroad from Newark to Lyons Parmis; to authorize the Weequabick Lake Association to build a horse railroad from the lake to Newark; to incorporate the Washington and Mulberry streets (Newark) horse railroad; to authorize a railroad from Newark to Jersey City, with \$100.000 capital; to authorize a borse railroad from Newark to Jersey City, with \$100.000 capital; to authorize a borse railroad from Newark to Montelair; and to compet the New York and Eric Railroad Company to light the Bergen tunnel, and prohibiting the running of trains through it shows a certain mederate rate of speed.

| tunnel, and prohibiting the | running of trains through it to of speed. |
|---|--|
| Stock E | change. |
| Trues | DAY, Jan. 10-10:30 A. M. |
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| | 100 dob30 10736 |
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| 13000 do | 300 do 106% 200 do \$10 106% |
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| 500 US5's 10-40, c. s 104 14 | |
| 1500 do 102% | 700 Reading RR 115 1/4 1700 do830 115 1/4 |
| 35000 do 10236 | |
| 3000 Missouri 6's 67)4 | 400 do 115% 40 Sixth Ave RR 112 |
| 2000 Ill war loan 98 | |
| 5000 Bklnde, wl, exin 107 | 800 Mich Cen RR 11216 |
| 10000 O & Missrc, 530 33 | 200 dobi0 112% |
| 3000 Mic Son s f bds 105 | 100 do 112% |
| 6000 Alt & T Hau in 80 | 100 M S & N I RR s60 731 |
| 2000 Del, L&W 24m 112 | 50 do 74% |
| 3000 Clev&Tols f bd 106 | 200 do 74% |
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| 2500 American gold 225 | 100 do 127 /2 |
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| 1, | 81 | COND | BOARD. | |
| æ | | | F-PART TWO O'CLOCK P. M | |
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| | 100 Erie RRb10 | 84 | 500 Cleve&PittaRRs10 | 133 |
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| | 100 do | 8436 | 100 Chic & Rk Is RR 10 | 1075 |

CITY COMMERCIAL REPORT.

Tursday, Jan. 10-6 P. M. Arnes.—Receipts, 26 bbls. The market was dull and

prices were wholly nominal. BREADSTUFFS. - Receipts, 4,150 bbls. flour, 221 bbls. and 493 bags corn meal, 7,467 bushels corn, 37,611 do. oats, 17,400 do, malt and 46 do, barley. The market for State and Western Sour was less active to-day, and prices declined felly 5c., in sympathy with gold. The sales were

and Western Bour was less active to-day, and prices declined folly 5c., in sympathy with gold. The sales were 6,000 bils. State and Western, 650 do Southern, and 350 do Canadian. In rye flour nothing of moment was done, but firm, at previous prices. Of corn meal 200 bbls. caloric sold at \$8.75. We quote:—
superfine State and Western Bour. \$9.70 a. 9.85. Extra State. 10. 15 a. 10. 25. Extra State. 10. 15 a. 10. 25. Choice State 10. 30 a. 10. 35. Cornmon to medium extra Western. 10. 20 a. 10. 35. Cornmon to medium extra Western. 10. 20 a. 10. 35. Extra Fit Louis. 11. 20 a. 11. 25. Extra State. 11. 20 a. 11. 25. Extra State. 10. 30 a. 10. 35. Extra round hoop Ohio. 11. 20 a. 11. 25. Extra Fit Louis. 11. 30 a. 12. 30. Extra St. Louis. 10. 75 a. 12. 30. Fancy and extra do 12. 10 a. 14. 75. Common Canadian. 30. 15 a. 10. 30. Good to choice and extra . 10. 40 a. 12. 30. Extra St. Louis. 10. 35 a. 12. 30. Extra St. Louis. 10. 35 a. 12. 30. Extra St. 20. Bush of the sum superfine. 10. 35 a. 12. 30. Extra St. 20. Extra Extra Extra Extra St. 20. Extra Extra

store at \$8 50 for Bank and \$9 50 for St. Goorges. Mackerel were quiet but firm, in view of the small supply, at \$16 25 a \$16 50 for No. 1 bay, \$14 50 for No. 2 do., and \$2450 a \$16 50 for Nos. 1 and 2 shore. Box herring quiet but firm, at previous quotations.

Fautr.—Raisins were firmer, and prices tended upward, owing to the small stock and the light arrivals. Sales of 2,000 boxes new layer at \$6 25 a \$6 30; 100 bbla currants at 20½c. a 20¾c., 10 bales Languedoc almonds and 150 bags filberts on terms not to be made public.

public.

Fasoarra continue quiet. Engagements to Liverpool include, per neutral, 25 tons provisions at 10s.; 500 bbls. petroleum on private terms, and, per neutral, 500 pkgs butter and choese at 30s., and 150 boxes bacon at 20s. To Antwerp, 100 tons weight at 22s. 6d. To London, per neutral, 30 hbds. Cuba at 27s. 6d.; 1,400 boxes cheese, 22s. 6d., and 460 tes beef and 100 bbls. pork on private terms. A Russian brig, 2,400 bbls. capacity, to Havana, 31.300 gold.

To Antwerp, 100 tons weight at 22s, 6d. To London, Per neutral, 30 hads, cuba at 27s. 6d.; 1,400 boxes cheese, 22s. 6d., and 400 tess beef and 100 bbls, pork on private terms. A Russian brig, 2,400 bbls, capacity, to Eavana, \$1,300 gold.

Gunny Bars were active, with sales reported of 150 bales at 39c.

Gunny Chorn was firmer and in better request. Sales of 300 bales, at 22c., now held higher.

HAY.—The demand was principally for retail lots, which are firm at \$1,80 a \$1,90.

Hors were in good request for consumption. The inquiry was chiefly for prime grades, which are in small supply and with light receipts. The market continues very firm, and an advance has been established. The sale to day were 280 bales, at from 30c. to 33c, and fatey at 60c.

Hors —Since our last report the demand has continued moderate, and prices have ruled steady until today, when, under the fall in gold, the market was scarcely so firm, and holders, in order to effect sales, would have to grant some concession from our quotations. Sales were 1,300 Orinoco on private terms, 5,000 California at 34c., 500 Western slaughter, 12½ bs. at 14c., and 2,000 clty slaughter (ox) at 14c. We quote—Hry hides per pound, cash—Buenos Ayres, 37c. a 35c.; Buenos Ayres and Montevideo, 35½c. a 37c.; Rio Grande, 23½c. a 34½c.; Orinoco, 33c. a 34c.; California, 34c. a 35c., usual selection: Central American, 31c. a 33c.; Manamoros, 31k. a 32c.; Vera Cruz, 30c. a 31c.; Bahia, 29c. a 30c.; Porto Cabello, 29c. a 30c.; Turnillo, 28c. a 29c.; Rio Hache, dry and pickled, 25c. a 25c., bad hide.

Insheo was very quiet, there being no demand beyond the immediate wants of jebbers and manufacturez. Prices, however, were without decided change.

Inaminga.—Hemicok.—There has been a fair inquiry for prime stock, which continues very scarce, and prices continue very fram. Oak has been less active and the stock accumulating. We quote—Hemicok, Buenos Ayres, leavy, 42c. a 43c.; do., middle, 40s.c. a 47c.; do., in the rough, 36c a 38c.; do., good damaged, all kinds and weights,

Millaris.—The inclemency of the weather, together with the downward tendency of gold, restricted bushless somewhat to-day, and we have only to report sales of 70 hhds. Forto Rico at from \$1.06 a \$1.10, chiefly at the outside price, and 25 do. Cuba muscovado at 80c.

Naval Shours.—Spirits tarpetiting was quiet, but firm, holders demanding \$2.10 a \$2.15 for French and \$2.15 a \$2.20. Rosins were firm, with sales of 50 bbls. at \$23 a \$25 for strained, \$25 a \$30 for No. 2, and \$30 a \$40 for No. 1. To quiet and unchanged.

60c. for State. Cheese was pachanged, at 18c. a 24c. for common to prime.

Parsonarce. Receipts, 1,212 bble. The morket was quiet, but prices without decided change. One lot of orode sold at 60½c, but there were buyers for all that could be obtained at 51c. The sales were 700 bble crude, on the spot, at 60½c, a 51c, and 500 do., for all the month, at 51½c, and 1,000 do., for February at 50c.; 900 do., refined, in bond, at 73½c, a 74c, and 700 do. free at 93½c, a 94c. Benzine was firmer at 58c.

Rick.—We notice a sale of 180 bags Rangoon on terms not ascertained.

Ker.—The highly continues moderate, but full prices are obtained. Sales have been made of 2,000 sucks laver-pool ground, from store, on private terms, 5,260 businels. Turk's I shared at about 70c., 1,200 sucks Ashton at a about \$4.80, and a cargo of Regged I shared at 70c. Sucha.—The slight decline in gold to day depressed the market, and very little business was consummated.

market, and very little dosiness was constantable. Holders, however, were firm in their views, and demanded previous prices, in view of the small supply. The onle sales were 10 hold, Cuba muscowated at 201/s. Refined was quiet, but firm, at 284/c. for hards.

Schos.—In clover very little business has been transacted, and prices a shade off, 261/c. 226/5 being dismanded. Timothy quiet at \$5.50 a \$6. Rough fax continues in fair dismand at the recent advance—\$1.90 a \$4 per bashel.

Schorks.—There was very little doing in any sescription, holders generally demanding 14c. for domestic, and 10/4 for Schesian.

STRUTES,—There was very little doing in any description, holders generally demanding 15c. for domestic, and 15 g for Silesian.

Sairs.—Goat—The demand has been moderate, but there was no change in prices; sales (not previously reported) 10,900 Matameres at 92 jc. a 97 jc., 8 hales Montey theo at 75c. cash. Deer—The demand has been rather more active, and full prices have been realized; sales 18,000 the Truzillo at \$1.05, 4000 the Central American at 97 jcc., and 15,000 the San Juan at 87 jc. a 90c.; sales 18,000 the Truzillo at \$1.05, 4000 the Central American at 97 jcc., and 15,000 the San Juan at 87 jc. a 90c.; Baenes Ayres, 70c. a 75c.; Vert Cruz. \$7 jc. a 90c.; Baenes Ayres, 70c. a 75c.; Payta 70c. a 75c.; Caracao, 70c. a 75c., per 10. cash. Deer—Honduras, \$1 a \$1.05; Vert Cruz. \$1 a \$1.05; Central American, 95c. a \$1; San Juan, 90c. a 90c.; Sisch, \$7 jc. a 30c.; Angosturs, 70c. a 30c.; Para, 90c. a 92 jc., per 10. cash.

Sirent.—The demand has been moderate, and prices of some descriptions were a trifle off, while others were without decided change. Sairs 1,000 mats casela at \$1.65, 250 bales wild cintamen at 95c., 100 bags African singer at 30c., small parcels of nothings at \$1.52 jc. a \$1.55, and cloves 57 jc. a 60c.; also two bags pepper at \$45c. a 50c.

At Sc. and cloves of the active and two mass pepper at 10 sq. a 35c.

Tonacco continue in good demand. Sales 1,078 hhds at 10 sq. a 35c.

Tollow was less active and scarcely so firm. Sales of 120,000 lbs. at 175, a 17 sq.

Tix.—There has been decidedly more activity in the market for pig, and previous typices have been maintained; sales of full 1,150 clabs Status, here and in Boston, at 61c. a 61 sq. English may be quoted at 68 sqc. In tin plates there has been a fair business doing, the sales reaching some 800 boxes assorted at \$17 a \$17.25 for I. C. coke, \$20.50 for I. C. charconi, and \$15 for coke terms.

WHENEY.—Receipts, 280 bbls. There was rather more doing and the market was ifrmer, with seles of 1,200 bbls. at \$2 24 a \$2 25 for Western.

INDIAN TROUBLES.

JULESBURG, Colorado, Jan. 9, 1865. On Saturday morning a party of sixty Indians attacked the overland mail express coach, three miles east of here, and robbed the mail express.

They also attacked a mule train close by, killing one

man and wounding another.]

The troops at the military post here, numbering from fifty to eighty men, immediately started to the relief of

the white settlers in the vicinity, and drove the Indians to the bluffs, a mile back, where the Indians were rein-forced to the number of fifteen hundred, and in turn drove the troops back to the post.

The Indians then entered the stage station in large

numbers, and, after destroying all the furniture and breaking all the windows in the buildings, set them on

They also destroyed a large amount of telegraph mate-

A well directed fire of musketry from the troops at the A well directed fire of musketry from the troops at the post, however, soon drove them from the station. In the running fight on the retreat of our troops thirty-five ladians were killed, including the principal chief. Nineteen of our soldiers and chizens were killed. A general massacre and destruction of the whites was only prevented by the perseverance and bravery of our troops and an efficient artillery fire.

The Indians retired in a southerly direction.

This was the most determined incursion made by the Indians this senson.

The Revenue Service. The United States revenue steamer Kewanee saffed from this port on Monday afternoon for Bavannah, touching on the way at Fortress Monroe. The following is a lat of her officers:-

Captains—W. C. Pease.

Captains—W. C. Pease.

First Lieutement and Executive Officer—D. B. Hodgedon.
Second Lieutement—Jungs Trish.

Third Lieutement—W. W. & Treil.

Engineers—Chinf, John J. Roberts; First Assistant, Jas.

T. Wayson; Second Assistant, P. Kane.

Pilot—Win. B. Fisher.

Houses' Hote, Jan. 10, 1865. The United States steamer Ashuelot, Captain Graham, bound from New York to Eastport, put in here to-day.

OPDYKE-WEED

CLOSE OF THE INVESTIGATION.

Mr. Field Ends Ilis Argument for the Prosecution.

The Character and Deeds of Fremont.

A GLANCE AT THE MARIPOSA CLAIM.

Stirring Appeal of Mr. Field to the Jury.

THE CHARGE OF JUDGE MASON.

His Clear Definition of the Law in the Case.

THE JURY RETIRES TO CONSULT.

The Verdict to be Rendered This Morning,

On the opening of the court yesterday morning Mr. D. D. Field resumed the eloquent argument which he began on Monday, but which was suspended in consequence of the arrival of the hour of adjournment. We subjoin the

entinuation of the address;-THE ALLEGED EXTORTION FROM GRNERAL FREMONT. The libel in relation to General Fremont is a tissue of

alseboods. The point of it is that Mr. Opdyke worked spon General Fremont's political ambition to deprive im of his property. A more wanton, wicked and cruel libel was never published. It is at once base, and baseess. The whole transaction between Mr. Opdyke and Jeneral Fremont was simply a matter of business result-General Fremont was simply a matter of business resulting from a negotiation begun by General Fremont, in which he made an offer that was accepted and performed. No political consideration entered into it, or was even suggested or surmised. General Fremont, finding his estade emberrassed and unavailable, offered one quarter to capitalists to extricate it and him. The debts had been created in defending the title against the government and in developing the estate. He had never before been able to get any one to agree to take it for less than haif. He now offered a quarter to Mr. Stevene, who offered it to Mr. Ketchum, who brought in Mr. Opdyke. This is all of Mr. Opdyke's connection with the matter. He received no more than he was offered. He performed what he promised. The acking of General Fremont to let twenty-five thousand slagres remain in Mr. Ketchum's name, in trust for him, was only a proper and usual precaution to keep the stock out of the market for a limited time, and prevent the control of the company from passing into other hands. The counsel has seen it to alinde to the present embarrassments of the company. There was nothing about them in the evidence, and this is not the piace to explain them if he intended thereby an imputation upon the good faith of the expitalists who formed it an abundant answer is found in the despetch which appears in the evidence, which was transmitted by the principal bankers of San Francisco eight days before the formation of the company, containing the substance of the report just made by the most eminent mining geologists of Cairfornia, by which it was settimated that a green monthly preduct of the estate might be counted upon of two hundred thousand dollars in gold at a cost of forty thousand, which would give a yearly resonate of the report just made by the most eminent mining geologists of Cairfornia, by which it was estimated that a green monthly preduct of the estate might be counted upon of two hundred thousand dollars in gold as a cost of forty thousand, which ing from a negotiation begun by General Fremont, in which he made an offer that was accepted and performed. for moody will over make his month were he to live a hundred years My friend Feart wond not accept such an other is work made. He would not accept such as other is work made. He would not accept such as other is work made. He would not accept such as other is work made. He would not accept such as other is would not help fee, not be Highland to the relief at the would not have been to be the Highland to the relief at the would not have been to be the highland to the the made and the highland to the propose that compromise with him. If he will make cash that when he went to Washington to produce the appointment of his friend to a certain furnities office in this city there was no understanding that he should receive the connect fees which the office could beaucy. I will promise not to cross-examine him. If he will then all down with me and compare the fees which he has received from the public treasury with those which I have received from my private client, this promise to make no public inquiry into the amount he has received, and we will both toy quite, and he even. But, to be recons, this inquiry into the smooth he has received, and we will both toy quite, and he even. But, to be recons, this inquiry into the sessential him private clients we fit to give me is abeer importanence. Weed known to better. It is eduction his associations, his habits, his instincts have tanget him no better, My learned metalroe him, that when a lawyer come listo court he ripks the gentleman in the lawyer are only in the work of them any concern with my private and Fierreport, however, know hetter. They have been equated as gentlemen; they have been trinfine as lawyers; and, silhough on one occasion during this trial Mr. Evrari gave it as his epinion, as I undarateou him, that when a lawyer come listo court he ripks the gentleman in to have you are applied to the many concern with my private afforts. Now, gentlemen of the jury, before I lay it aside let me read this port of the index and the half of the annotation of the him and th

"made money unjointly through fraudulent, corrupter sattoriousies contracts with the government, and that he
corruptly and fraudulently procured the acceptance of
imperfect blacked by some officers of the government in
Philadeliphi, after they had been rejected by the government in New York." This is the real meaning of the
expressions, the sense in which the meant deverything in an unfavorable sense, and inlonds that it shall be so understood. For these
aspersions there is not a particle of justification in
the evidence. There were never any blankels sold
or received at Philadelphia after having been rejected in New York. The whole charge in that respect
as pure invention. There was never any contract
as thoody was ever received by the government of
as the soldy was ever received by the government of
offered to it. The Spaiding cloth was of substantial
material; the only objection to it was the difficulty of
coloring some of it; but the spotted parts were left out
in the making up, and the garments delivered to the
quartermaster and accepted by the inspectors were good
both in material and ecity. But the supplying it? Must Weed and his friends have a monopoly of
the business? If that be co, fleaven help the country!
When complaint was made to Luther that secular airs
former replied that the calurches, that
former replied that the calurches, that
all the good must by
the army? Must our brave
soldier be of and clothed by theves? No, no, no. The
formisting of supplies to the army and navy on contracts
fairly oblained and fairly executed it an honest and patriotic act. Parrott, and Ames, and Ericsson, and Stewart
and Sturges are helpers of their country as truly as he
who leads a hattallon, or digs in the trench, or mounts
the parapet in a storm of fire and leaden hait. The mayor
of a city, however, ought not to do it, say the geatelmenn.
Why not? If it be a good thing and patriotic, why should
he refrain from it? If he has something which the give any private business when he takes a public office?
It i planting has undergone, his montai subsering, the iessenling of him in the public esteem, and the injurious cinct
it may have upon his social and political relations. The
defence which has been set up is, as all the authorities
agree, an agraximion of the original libel. The record of
an estempted justification is the clearest exidence of
malies. But if that little slient price of paper contain
each exidence, how much more dues the our industrial
each exidence, in the much more dues the our industrial
to the property of the public counsel was so gross
in the abuse, that, for the sake of the defendant
whom it multed, for the sake of the profession which
is distanced, for the sake of the profession which
is distanced, for the sake of the count which it contemped, for the raske of the country which it offounds; it eight to be visited by your displeasure. The
profession of the law is one of the nobless than can empley the faculties of run. To be a defence to the weak,
a speaker for the ignorant, an advisor to the doubtful, a
bulvark ageinst power, an interpreter of the laws, a
helper to justice, is an office and a function for laving
which any man may fisel himself exalted. The profesition: The greatest neon of all ages have illustrated its
annath. Orators, philosophers, statesmen, have reaped
its emolutions and born its honors. The judiciary of
every free country is recruited from its ranks. The Chief
Justice of the United States is second only to the President; the Lord Chancellor of England takes precedent of
all the nobles. Such in our profession. But if it is to be
perverted, as at has been perverted here, it must lose its
character and its influence. If there be many whom
a fee can induce to rise in a court of justice, and, under
cover of the privilege, villify a party, as my cleen has been
villines outside of the evidence and the law, then I can
only say that the same of lawyer will soon be a byword
and a hissing, and will come to be accounted heads at any
green and the theory of the press of the

weeks have been attered in this hall.

JUDGE MASON'S CHARGE.

GENTLEMEN OF THE JUST—I Congratulate you, genifemen, that this very protracted, and to you, I doubt not, fatiguing, trial is now brought so near to its close. And before proceeding any further in the case, allow me to tender to you my sincere thanks for the very remarkably puretual attention which you have given to the saturage of this court, and to the patient nod attentive bearing which I cannot but observe you make given to the matter. There are, gentlemen of the lury certain doiles which devolve upon me as the Judge of this court, there are

of this civil action for damages. As the law now stands in this State, the defendant, when arraigned for libel, may give the truth in justification; and if he establishes the truth of the libel before the court and jury he stands wholly acquitted of publication, without stopping to inquire into the motives by which he is actuated. A different rule obtains where the prosecution is by indictment. A libel in a civil action and an indictment fee a libellous publication tending to a breach of the peace are two different things. The duty of the defendant is to establish the truth so as to satisfy the jury that he published the truth as justifiable ends. There may be cases, and there are in the books, where a man may prove the literal truth of a libel, and yet should be punished just as severely as though he had published a faisehood. There may be acase in which the aggravation may be even greater. A man may publish in the public press some physical infirmity of his neighbor unknown to the world, which would wound the feelings and sting to the quick the sensibilities of the man who is bibelled, and yet the libel may all be true. As I have said to you, in this civil cause for damages the law allows to be given in evidence the truth of the libel; and if the defendant establishes that truth then he stands fully acquitted. Before proceeding to the case allow me to state another principle wherein there has been controversy, and wherein we stand in this state in direct collision with the courts of England at this day. If I were presiding in a court in England I should be obliged to say to you that the law makes you the judges, in this civil action, both of the law and of the fact, so far as to determine whether the article is libellous or not. They hold the rule there that the judge had charged the jury what constitutes a libel. They have had some rich experience under this rule is England, which shows the folly of the rule itself. A case came before the Queen's Beach in which the judge had charged the law of libel correctl

sume malice in the publication, University is necessarily and clearly to be interred from the language of the ineits at they are to impate mnocence to conduct in all cases unless they are obliged by the evidence te impute guilt. There are other cases where the language is conclued in ambiguity. There are coses when the manufact is an ambiguity. There are coses when the manufact is an ambiguity. There are coses when the manufact is an ambiguity. There are coses when the manufact is the other to a very brief and concise statement, this is the tuiter-where the article is pion and clear in the accusation, and there is no doubt about the interpretation of it, then the jury must take the law from the Court, and so hoot, where there is any doubt about it, where one man might rend it and interpret it in one way, and another in another way, then the jury are entirely independent of the Dench, and they must say what construction they will be to prove the article. I think I can before the article is proved to the complaint as Rhedhous is the following—"This man has made more money by scoret charges in the complaint as Rhedhous is the following—"This man has made more money by scoret charges in the complaint as Rhedhous is the following—"This man has made more money by scoret charges than any fity sharpers, Jew or teaming, in the otty of New York." That language is not so clear that I have a right to say by oyo, it is libellow; and you must so fadd it. It is a case where it belongs to you to put a construction quality in the language is not so clear that I have a right to say to you, it is libellow; and you must so fadd it. It is a case where it belongs to you to put a construction put the construction of the